

THURSDAY, MARCH 4, 1982

SEVENTY-SEVENTH LEGISLATIVE DAY

The House met at 10:00 a.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Mr. Arthur Walker, Jr., Adams United Methodist Church, Adams, Tennessee.

Representative Davidson led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 96

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

The Speaker announced that Representative Johnson was excused because of death in the family.

The Speaker announced that Representative Chiles was excused because of business.

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The Speaker announced that Representative Martin was excused because of business.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1625--To amend Title 57, Chapter 3, Code; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

1776--To set compensation, assistant district attorneys general, Knox County;

2130--To create special Juvenile Court, Weakley County; both substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

352--Relative to wishing Bill Rawlings a speedy recovery;

353--Relative to commending Alex Randall Sanders;

354--Relative to honoring Shirley Woodard Latta;

355--Relative to congratulating Paul Holmes; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 221 and 237; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 221 and 237.

CALENDAR

House Bill No. 1947--To permit county judges to participate in retirement system.

Mr. Rhinehart moved that House Bill No. 1947 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1947 by deleting Sections 1 and 2 in their entirety, by substituting instead the following, and by renumbering the subsequent section accordingly:

Section 1. Tennessee Code Annotated, Section 8-35-116 (b) (1) is amended by deleting the first sentence in its entirety and by substituting instead the following:

The county legislative body by resolution shall permit the participation in the Tennessee consolidated retirement system of any person elected or appointed in a full-time position as a county judge or county official, as defined by the laws governing the retirement system, if such person elects to participate in such system. Provided, however, the employer cost for such participation shall be paid from funds appropriated by the county legislative body for the office of the participating judge or official.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1947, as amended, passed its third and final consideration by the following vote:

Ayes	81
Noes	7
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bivens, Bragg, Brewer, Buck, Burnett, Carter, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensey, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hurley, Huskey, Jared, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson,

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Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Sir, Small, Smith, Stafford, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--81.

Representatives voting no were: Bewley, Copeland, Hudson, Percy, Robinson (Washington), Scruggs and Webb--7.

Representative present and not voting was: Shockley--1.

A motion to reconsider was tabled.

House Bill No. 1948--To provide for Profit Sharing System, state employees.

Mr. Bragg moved that House Bill No. 1948 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Dispayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

House Bill No. 1620--To amend pharmacy laws.

Mr. Rhinehart moved that House Bill No. 1620 be passed on third and final consideration.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1620 is amended by changing the period at the end of Section 1 to a comma and adding the following language:

except the Tennessee Department of Public Health and local health departments, which shall be subject to the provisions of Section 3 of this Act.

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AND FURTHER AMEND:

by deleting Section 2 in its entirety and substituting the following:

Tennessee Code Annotated, Section 63-1001, is amended by deleting the text thereof and substituting the following:

"Person" means any individual, partnership, association, corporation, and the State of Tennessee, its departments, agencies, and employees, and the political subdivisions of Tennessee and their departments, agencies, and employees, except the Tennessee Department of Public Health and local health departments.

AND FURTHER AMEND:

by renumbering Section 3 as Section 5 and inserting a new section as follows:

Section 3. Tennessee Code Annotated, Title 63, Chapter 10, is amended by adding the following new Section:

. Any drugs dispensed by the Tennessee Department of Public Health or local health departments must be approved by the Board of Pharmacy as not subject to abuse. Such approval shall be in the form of duly promulgated rules pursuant to Tennessee Code Annotated, Section 4-5-101 et seq. Inventory controls, accountability, repackaging security, storage, and distribution of such drugs shall be under the direct supervision of a registered pharmacist at the regional level.

Section 4. Tennessee Code Annotated, Section 63-1021, is amended by deleting the last sentence of the first paragraph.

On motion, the amendment was adopted.

Mr. Rhinehart requested a division of the question on Amendment No. 2.

Mr. Starnes moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1620

DIVISION 1

by adding immediately after the word "departments" and before the word "must" in Section 3 of the House Finance Ways and Means Committee Amendment No. 1, the words

"in traditional services including family planning, maternal and

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child health, tuberculosis, venereal disease or other communicable diseases,"

DIVISION 2

and further amend by deleting from the same Section 3 of the House Finance Ways and Means Committee Amendment No. 1 the word "direct."

Mr. Starnes moved that Division No. 1 of Amendment No. 2 be adopted.

Mr. Rhinehart moved that the motion be tabled, which motion failed by the following vote:

Ayes	23
Noes	61

Representatives voting aye were: Bell (Wilson), Bragg, Buck, Clark (Davidson), Copeland, Covington, Crain, Davidson, Ellis, Gill, Kernell, King (Shelby), King (Washington), McKinney, McNally, Murphy (Shelby), Murray, Naifeh, Phillips, Rhinehart, Stallings, Tanner and Work--23.

Representatives voting no were: Akard, Baker, Bell (Knox), Bewley, Bivens, Byrd, Carter, Clark (Sumner), Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jones, Kent, Lashlee, Love, McAfee, Miller, Montgomery, Moore, Owen, Percy, Pickering, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Starnes, Sterling, Turner, Ussery, Wallace, Webb, Whitson, Wix, Wolfe, Wood and Yelton--61.

Mr. Rhinehart moved that House Bill No. 1620 be placed on the Calendar for Thursday, March 11, 1982, which motion prevailed.

House Bill No. 1453--To amend compensation of certain county officials.

On motion, House Bill No. 1453 was made to conform with Senate Bill No. 1517.

On motion, Senate Bill no. 1517, on same subject, was substituted for House Bill No. 1453.

Mr. McKinney moved that Senate Bill No. 1517 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes	1
Present and not voting	2

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Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work and Yelton--89.

Representative voting no was: Spence--1.

Representatives present and not voting were: Pickering and Sir--2.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

House Bill No. 1488--To allow group insurance, certain persons.

On motion, House Bill No. 1488 was made to conform with Senate Bill No. 1591.

On motion, Senate Bill No. 1591, on same subject, was substituted for House Bill No. 1488.

Mr. McKinney moved that Senate Bill No. 1591 be passed on third and final consideration.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1591 by adding to the amendatory language of Section 1 in the first sentence between the words "in office" and the words "may elect" the words "or who is a member of the state retirement system".

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1591, as amended, passed its third and final consideration by the following vote:

Ayes	95
Noes	0

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Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

Mr. Richardson moved that the rules be suspended for the purpose of introducing House Resolution No. 104 out of order, which motion prevailed.

House Resolution No. 104--Relative to memory, Paul Johnson--By Richardson, Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Richardson, the resolution was adopted.

A motion to reconsider was tabled.

House Bill No. 1519--To amend Sections 62-1339 and 62-1316 (f) (2), Code.

On motion, House Bill No. 1519 was made to conform with Senate Bill No. 1715.

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On motion, Senate Bill No. 1715, on same subject, was substituted for House Bill No. 1519.

Mr. Lashlee moved that Senate Bill No. 1715 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	0
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

Representative present and not voting was: Carter--1.

A motion to reconsider was tabled.

House Bill No. 1444--To issue interest-bearing general obligation bonds.

Mr. Murphy (Davidson) moved that House Bill No. 1444 be passed on third and final consideration.

Mr. Murphy (Davidson) moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1444 by deleting Sections 9 through 12 of the act and substituting instead the following:

SECTION 9. The state building commission shall establish a fund to be used for energy conservation and efficiency improvement projects from the funds received by it in accordance with Section 8 and from funds available as provided in Section 10 (c).

SECTION 10. (a) The Tennessee energy authority shall establish a six (6) or twelve (12) month schedule on which to receive applications for funds for energy conservation and efficiency projects. The energy authority shall by rule and

regulation establish the procedure to be followed by agencies, departments and institutions in applying for funds. Such application shall include:

- (1) identification of the facility and agency applying;
- (2) a description of the projects;
- (3) a documented cost estimate for the project;
- (4) calculations showing the energy and cost savings which would result over the life of the project;
- (5) certification by an engineer or architect that the project and savings information is correct;
- (6) the signature of the commissioner or agency head applying for the loan.

The energy authority may also establish additional requirements, including limitations on the number of proposals which may be made by any agency within a particular period, a minimum level of estimated cost savings, and such other requirements as are necessary to best utilize the available funds.

(b) When the Tennessee energy authority receives applications, it shall evaluate the applications. All applications received within a particular time period shall be ranked for funding preference, according to their net benefit/cost ratio (equal to the present value of all future net savings, divided by the initial cost). Information supplied by the agencies shall be verified by the Tennessee energy authority.

(c) Based on the estimated cost of the project and the estimated discounted pay-back period for the project (the time required for the savings to equal the loan principal plus interest), the Tennessee energy authority shall establish a pay-back schedule for the agency. Repayment of loans shall be by journal voucher, or as the department of finance and administration may direct. Repayment shall include principal, plus a rate of interest sufficient to pay the bond interest plus administrative costs. Money paid back by the agency shall go into the revolving fund established in Section 9.

(d) Based on the funds available and the ranking of projects by the Tennessee energy agency, the agency shall make recommendations to the building commission once in each time period. Loans shall be approved by the commission based on the net cost/benefit ratio with loans approved in a descending order from the highest cost/benefit ratio to the lowest, until all funds available for the period have been awarded, or until no additional projects are pending with a net cost/benefit ratio greater than one.

(e) If the facility for which an energy conservation loan is sought has been the subject of an energy audit, the no-cost or low-cost recommendations contained therein shall be implemented before any loan is granted under this section.

SECTION 11. (a) The Tennessee energy authority shall require twice-yearly reports from agencies with outstanding loans on the status of the projects, and on energy consumption in the affected facilities. The authority shall also conduct on-site inspections of selected projects to insure proper implementation. The number of on-site inspections shall be determined by available staff and the number necessary to assure program integrity.

(b) At the end of each six (6) or twelve (12) month loan period, the Tennessee energy authority and the state architect shall report to the state building commission on:

- (1) application data and rankings;
- (2) loan awards;
- (3) project implementation status;
- (4) estimated energy and dollar savings to date.

SECTION 12. No conservation and energy efficiency technology, or renewable energy device or technique shall be approved for funding unless the estimated discounted pay-back period is less than ten (10) years for proposals funded with the proceeds of bonds authorized by this act, or less than ten (10) years for proposals funded out of the revolving fund authorized by Section 9. In no event, shall any appliance, device, technique, or technology be approved for funding if its estimated life is less than the estimated pay-back period for its cost.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1444, as amended, passed its third and final consideration by the following vote:

Ayes	88
Noes	5
Present and not voting	2

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, Miller, Montgomery, Moore, Murphy

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(Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Turner, Ussery, Wallace, Webb, Wheeler, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--88.

Representatives voting no were: Bewley, McNally, Scruggs, Shirley and Whitson--5.

Representatives present and not voting were: Tanner and Wix--2.

A motion to reconsider was tabled.

Mr. Murphy (Davidson) moved that House Bill No. 1443 be placed on the Calendar for Thursday, March 11, 1981, which motion prevailed.

House Bill No. 1921--To regulate taxation of gasahol.

Mr. Stafford moved that House Bill No. 1921 be passed on third and final consideration.

Mr. Pickering moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1921 by deleting Section 9 and 10 in their entirety, and by substituting instead the following:

SECTION 9. The provisions of this act shall apply to gasohol manufactured from ethyl alcohol manufactured in Tennessee and shall apply to gasohol manufactured in any state which reduces the rate of taxation or exempts from its motor fuel tax gasohol manufactured from ethyl alcohol manufactured in Tennessee, provided that any gasohol imported into Tennessee or any gasohol manufactured from ethyl alcohol imported into Tennessee shall be taxed at the same rate and in the same manner as gasohol manufactured from ethyl alcohol manufactured in Tennessee, regardless of the rate of taxation on gasohol or ethyl alcohol in the state from which such gasohol or ethyl alcohol is imported, except that in no case shall the amount of tax relief granted gasohol or ethyl alcohol imported into Tennessee exceed the amount of relief granted by the exporting state.

SECTION 10. This act shall take effect on January 1, 1983, the public welfare requiring it, and shall be repealed on December 31, 1988.

On motion, the amendment was adopted.

Mr. Pickering moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1921 by deleting the following from Section 1:

"For all other purposes other than"

On motion, the amendment was adopted.

Mr. Rhinehart moved that the rules be suspended in order to pass House Bill No. 1921 without a fiscal note, which motion prevailed.

Thereupon, House Bill No. 1921, as amended, passed its third and final consideration by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

Mr. Stafford moved that House Bill No. 1917 be placed on the Calendar for Thursday, March 11, 1982, which motion prevailed.

House Bill No. 1849--To provide appropriations to complete water resources study.

Mr. Hillis moved that House Bill No. 1849 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill,

Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

House Bill No. 1759--To define health and educational facility corporations.

On motion, House Bill No. 1759 was made to conform with Senate Bill No. 1848.

On motion, Senate Bill No. 1848, on same subject, was substituted for House Bill No. 1759.

Mr. Wallace moved that Senate Bill No. 1848 be passed on third and final consideration.

Mr. Starnes moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1848 by inserting the following new section 3 and renumbering the present Section 3 as Section 4:

Section 3. Tennessee Code Annotated, Section 48-1908 is amended by inserting the following new subparagraph (5) and renumbering the present subparagraph (5) and subsequent subparagraphs accordingly:

"(5) To finance or undertake projects located in one or more municipalities within the State of Tennessee which may include one or more institutions described in Section 48-1901 upon the prior approval by appropriate resolution duly adopted by: (1) the local health and educational facilities corporation created under this chapter, or (2) the governing body of the municipality, where any participating institution may be located."

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1848, as amended, passed its third and final consideration by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

House Bill No. 1733--To regulate Highway Users Fuel Tax.

Mr. Robinson (Davidson) moved that House Bill No. 1733 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	88
Noes	7

Representatives voting aye were: Akard, Baker, Bell (Knox), Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, McAfee, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--88.

Representatives voting no were: Bell (Wilson), Bewley, Love, McKinney, Pruitt, Sir and Whitson--7.

A motion to reconsider was tabled.

House Bill No. 1957--To regulate restoration of citizenship.

Mr. Robertson moved that House Bill No. 1957 be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes 90
Noes 2

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

Representatives voting no were: McKinney and Murphy (Shelby)--2.

A motion to reconsider was tabled.

House Bill No. 1958--To make certain provisions, Appellate Court Nominating Commission.

On motion, House Bill No. 1958 was made to conform with Senate Bill No. 1727.

On motion, Senate Bill No. 1727, on same subject, was substituted for House Bill No. 1958.

Mr. Robertson moved that Senate Bill No. 1727 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes 0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

House Bill No. 1812--To allow filling of vacancy, state senate.

Mr. Naifeh moved that House Bill No. 1812 be passed on third and final consideration.

Mr. Lashlee moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1812 by striking the words:

"each statewide political party's executive committee" from the first sentence of the amendatory language of Section 1 and by substituting instead the following:

"the members of the county executive committees who represent the precincts composing such Senate district"

On motion, the amendment was adopted.

Thereupon, House Bill No. 1812, as amended, passed its third and final consideration by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

Mr. Speaker McWherter resumed the Chair.

House Bill No. 1813--To define duties, certain persons convicted of infamous crimes.

Mr. Naifeh moved that House Bill No. 1813 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

House Bill No. 1567--To make certain provisions, motor vehicles.

Mr. Robertson moved that House Bill No. 1567 be passed on third and final consideration.

Mr. Robinson (Davidson) moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1567 by deleting Section 1 and substituting the following:

SECTION 1. Tennessee Code Annotated Section 55-11-206 is amended by adding the following language:

Notwithstanding any other provision of the law to the contrary, when any freight motor vehicle is found to be in violation of only Section 55-11-203, subsection (3), a fine not to exceed fifty dollars (\$50) shall be imposed. The courts of General Sessions shall have jurisdiction to hear citations issued pursuant to this provision.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1567, as amended, passed its third and final consideration by the following vote:

Ayes	78
Noes	15
Present and not voting	1

Representatives voting aye were: Baker, Bell (Knox), Bell (Wilson), Bewley, Bragg, Brewer, Buck, Burnett, Carter, Clark

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(Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Moore, Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, and Mr. Speaker McWherter--78.

Representatives voting no were: Akard, Bivens, Cobb, DeBerry, Jones, Kent, Kernell, Montgomery, Murphy (Davidson), Shirley, Small, Spence, Turner, Withers and Yelton--15.

Representative present and not voting was: Byrd--1.

A motion to reconsider was tabled.

Mr. Robertson moved that House Bill No. 1568 be placed on the Calendar for Monday, March 8, 1982, which motion prevailed.

House Bill No. 1730--To allow payroll deductions, membership dues.

Mr. Work moved that House Bill No. 1730 be passed on third and final consideration.

Mr. Work moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1730 Section 2 is amended by adding the words "subsection (b)(2)" after "8-23-204."

Mr. Henry (Roane) moved that the House adjourn, which motion failed by the following vote:

Ayes	23
Noes	65
Present and not voting	5

Representatives voting aye were: Baker, Burnett, Carter, Clark (Sumner), Duer, Ford, Harrill, Henry (Roane), Hillis, Hudson, King (Washington), McNally, Moore, Pickering, Richardson, Scruggs, Shirley, Shockley, Smith, Stafford, Whitson, Withers and Wolfe--23.

Representatives voting no were: Akard, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Frensley, Gaia, Gill, Henry (Blount), Hurley, Huskey, Jared, Jones, Kent, Kernell,

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King (Shelby), Lashlee, Love, McAfee, McKinney, Miller, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sir, Small, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Wallace, Webb, Wheeler, Wix, Wood, Work and Mr. Speaker McWherter--65.

Representatives present and not voting were: Bell (Knox), Duncan, Montgomery, Robertson and Yelton--5.

Mr. Miller moved the previous question on the bill, which motion failed by the following vote:

Ayes	57
Noes	36

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Ford, Gaia, Gill, Hillis, Jared, Jones, Kelley, Kernell, King (Shelby), King (Washington), Lashlee, Love, McKinney, Martin, Miller, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shirley, Sir, Spence, Stallings, Tanner, Turner, Wheeler, Withers, Wix, Work, Yelton and Mr. Speaker McWherter--57.

Representatives voting no were: Baker, Bell (Knox), Bewley, Carter, Clark (Sumner), Copeland, Duer, Duncan, Frensey, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Kent, McAfee, McNally, Montgomery, Moore, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Stafford, Starnes, Sterling, Ussery, Wallace, Webb, Whitson, Wolfe and Wood--36.

Mr. Work moved that Amendment No. 1 be adopted.

Mr. Stafford moved that the motion be tabled, which motion failed by the following vote:

Ayes	39
Noes	52
Present and not voting	1

Representatives voting aye were: Baker, Bell (Knox), Bewley, Byrd, Carter, Clark (Sumner), Copeland, Duer, Duncan, Ford, Frensey, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Kent, King (Washington), McAfee, McNally, Montgomery, Moore, Percy, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Stafford, Sterling, Ussery, Wallace, Webb, Whitson, Wolfe and Wood--39.

Representatives voting no were: Akard, Bell (Wilson), Bivens, Bragg, Brewer, Buck, Cobb, Covington, Crain, Davidson, Davis (Gibson),

Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Gaia, Gill, Hillis, Jared, Kernell, King (Shelby), Lashlee, Love, McKinney, Miller, Murphy (Davidson), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shirley, Sir, Spence, Stallings, Starnes, Tanner, Turner, Wheeler, Withers, Wix, Work, Yelton and Mr. Speaker McWherter--52.

Representative present and not voting was: Burnett--1.

Thereupon, Amendment No. 1 was adopted by the following vote:

Ayes	52
Noes	39
Present and not voting	2

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Gaia, Gill, Hillis, Jared, Kernell, King (Shelby), King (Washington), Lashlee, Love, McKinney, Miller, Murphy (Davidson), Murray, Naifeh, Owen, Phillips, Pruitt, Rhinehart, Richardson, Robinson (Hamilton), Shirley, Sir, Spence, Stallings, Starnes, Tanner, Turner, Wheeler, Withers, Wix, Work and Yelton--52.

Representatives voting no were: Baker, Bell (Knox), Bewley, Carter, Clark (Sumner), Copeland, Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Kent, McAfee, McNally, Montgomery, Moore, Murphy (Shelby), Percy, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Stafford, Sterling, Ussery, Wallace, Webb, Whitson, Wolfe and Wood--39.

Representatives present and not voting were: Jones and Pickering--2.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1730 by deleting Sections 1 and 2 in their entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-23-204 (b) (1), is amended by adding at the end of the item the following sentence:

Provided, however, any employee who does not engage in a work stoppage and who has forfeited his automatic deduction of membership dues pursuant to this subsection, shall have his automatic deduction of membership dues reinstated one (1) year after the work stoppage occurs.

SECTION 2. Tennessee Code Annotated, Section 8-23-204 (b) (2), is amended by deleting the item in its entirety and substituting instead the following language:

(2) Any employee who engages or participates in a work stoppage or who authorizes or encourages a work stoppage shall be guilty of gross misconduct and shall immediately forfeit the authorized automatic deduction of membership dues.

Provided, however, two (2) years after the work stoppage occurs any employee in good standing who participated in the work stoppage may apply to have his automatic deduction of membership dues reinstated subject to the approval of the Commissioner or his designee of the department with responsibility for the work location or facility where the work stoppage has occurred.

Mr. McKinney moved that the Amendment No. 2 be tabled, which motion failed by the following vote:

Ayes	19
Noes	66
Present and not voting	1

Representatives voting aye were: Bell (Wilson), Covington, Davidson, DeBerry, DePriest, Disspayne, Ellis, Gill, Jared, Kernell, King (Shelby), McKinney, Murphy (Davidson), Pickering, Pruitt, Robinson (Hamilton), Shirley, Spence and Work--19.

Representatives voting no were: Akard, Baker, Bell (Knox), Bewley, Bivens, Buck, Byrd, Carter, Clark (Sumner), Cobb, Copeland, Crain, Davis (Gibson), Davis (Hamilton), Davis (Pickett), Dills, Duer, Duncan, Ford, Frensey, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Kent, King (Washington), Lashlee, Love, McAfee, McNally, Miller, Montgomery, Moore, Murray, Naifeh, Owen, Percy, Phillips, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Small, Smith, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood and Yelton--66.

Representative present and not voting was: Bragg--1.

Thereupon, on motion, the Amendment No. 2 was adopted.

Ms. Bell (Knox) moved that the House adjourn until 6:00 p.m. Monday, March 8, 1982, which motion failed by the following vote:

Ayes	40
Noes	52

Representatives voting aye were: Baker, Bell (Knox), Bewley, Carter, Clark (Sumner), Copeland, Duer, Duncan, Ford, Frensey, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Kent, King (Washington), McAfee, McNally, Montgomery, Moore, Percy,

Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Spence, Stafford, Sterling, Ussery, Wallace, Webb, Whitson, Withers, Wolfe and Wood--40.

Representatives voting no were: Akard, Bell (Wilson), Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Gaia, Gill, Hillis, Jared, Kernell, King (Shelby), Lashlee, Love, McKinney, Miller, Murphy (Davidson), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shirley, Sir, Stallings, Starnes, Tanner, Turner, Wheeler, Wix, Work, Yelton and Mr. Speaker McWherter--52.

Mr. Scruggs moved to amend as follows:

AMENDMENT NO. 3

Amend House Bill No. 1730 by deleting Section 2 in its entirety and by substituting in lieu thereof the following:

SECTION 2. Tennessee Code Annotated, Section 8-23-204 (b) (2) is amended by deleting the present subsection in its entirety and by substituting in lieu thereof the following:

"(2) (i) Any employee of the State of Tennessee who engages or participates in a work stoppage or who authorizes or encourages a work stoppage shall be guilty of gross misconduct and shall immediately and permanently forfeit the automatic deduction of membership dues previously authorized.

(ii) Any employee in good standing not participating in a work stoppage whose automatic deduction for membership dues is cancelled in accordance with Tennessee Code Annotated, Section 8-23-204(b) (1) may, three (3) years after the date that dues deduction was cancelled by the Department of Finance and Administration, apply to the Department of Finance and Administration to have his automatic deduction of membership dues reinstated, and the Commissioner of Finance and Administration, the employee's appointing authority and the Commissioner of Personnel may, in their discretion, reinstate the automatic dues deduction privilege for the employee. Any employee in good standing who did not participate in a work stoppage or who did not authorize or encourage a work stoppage will be immediately eligible to have his privileges which were cancelled in accordance with Tennessee Code Annotated, Section 8-23-204(b) (1) reinstated if he moves or is transferred to a work location or facility other than the one wherein the work stoppage occurred.

(iii) Any employee of the State of Tennessee who engages or participates in a work stoppage or who authorizes or encourages a work stoppage may be liable to the State or any person adversely affected by the work stoppage for the actual damages incurred as the result of the work stoppage. Such employees shall be subject to suit in a court of competent jurisdiction in the county where the work stoppage occurred."

by deleting SECTION 1 in its entirety and by renumbering the subsequent sections accordingly.

Mr. Rhinehart moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes	52
Noes	39

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Brewer, Byrd, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Gaia, Gill, Hillis, Jared, Kernell, King (Shelby), King (Washington), Lashlee, Love, McKinney, Miller, Murphy (Davidson), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shirley, Sir, Spence, Stallings, Starnes, Turner, Wheeler, Withers, Wix, Work, Yelton and Mr. Speaker McWherter--52.

Representatives voting no were: Baker, Bell (Knox), Bewley, Carter, Clark (Sumner), Copeland, Davis (Gibson), Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Kent, McAfee, McNally, Montgomery, Moore, Percy, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Stafford, Sterling, Tanner, Ussery, Wallace, Webb, Whitson, Wolfe and Wood--39.

Thereupon, House Bill No. 1730, as amended, passed its third and final consideration by the following vote:

Ayes	54
Noes	34
Present and not voting	2

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Brewer, Buck, Byrd, Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Gaia, Gill, Hillis, Hurley, Jared, Jones, Kernell, King (Shelby), King (Washington), Lashlee, Love, McKinney, Miller, Murphy (Davidson), Murray, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shirley, Sir, Stallings, Starnes, Turner, Wallace, Wheeler, Withers, Wix, Work, Yelton and Mr. Speaker McWherter--54.

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Representatives voting no were: Baker, Bell (Knox), Bewley, Carter, Copeland, Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hudson, Huskey, Kent, McAfee, McNally, Montgomery, Moore, Percy, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Stafford, Sterling, Ussery, Webb, Whitson, Wolfe and Wood--34.

Representatives present and not voting were: Naifeh and Tanner--2.

A motion to reconsider was tabled.

Mr. Wheeler moved that the rules be suspended for the purpose of considering House Bill No. 2001 out of order, which motion prevailed.

House Bill No. 2001--To provide for election, Anderson County Board of Education.

Mr. Wheeler moved that House Bill No. 2001 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Carter, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

A motion to reconsider was tabled.

Mr. Stafford moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 366 out of order, which motion prevailed.

House Joint Resolution No. 366--Relative to TVA selling at retail to industry--By Stafford, Bragg and Duer.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Stafford, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Owen moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 367 out of order, which motion prevailed.

House Joint Resolution No. 367--Relative to congratulating Dale Ellis--By Owen, Miller, Hudson, Severance, Bell (Knox), Smith, Disspayne and Murphy (Davidson).

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Owen, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Owen moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 368 out of order, which motion prevailed.

House Joint Resolution No. 368--Relative to congratulating Don Devoe--By Owen, Miller, Scruggs, Bell (Knox), Huskey, Ford, Robinson (Washington), King (Washington), Webb, Bewley, Baker, Stafford, Wallace, Naifeh, Tanner, Lashlee, Stallings, Bivens, Whitson and Severance.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Owen, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Owen moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 369 out of order, which motion prevailed.

House Joint Resolution No. 369--Relative to congratulating University of Tennessee basketball team--By Owen, Miller, Scruggs, Bell (Knox), King (Washington), Webb, Robinson (Washington), Bewley, Baker, Wallace, Naifeh, Tanner, Lashlee, Stallings, Bivens, Whitson, Hillis and Severance.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Owen, the resolution was adopted.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

252--To amend Local Option Act.

The Senate nonconcurred in House Amendments Nos. 1, 2, 3, 4, 17, 18 and 19.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Miller moved that the House refuse to recede from its action in adopting Amendment Nos. 1, 2, 3, 4, 17, 18 and 19, to Senate Bill No. 252, which motion prevailed.

SECOND ROLL CALL

The roll call was taken with the following results:

Present 95

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

INTRODUCTION OF RESOLUTION

House Joint Resolution No. 360--Relative to congratulating Marshall County Little League Baseball team--By Sir and Richardson.

Under the rules, House Joint Resolution No. 360 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 2234--To make certain provisions, municipalities--By Phillips.

Passed first consideration.

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House Bill No. 2235--To grant probate authority, certain counties
--By Wolfe and Duncan.

Passed first consideration.

House Bill No. 2236--To provide for duties of constables, certain
counties--By Webb.

Passed first consideration.

House Bill No. 2237--To provide for general sessions court,
Madison County--By Wallace and Baker.

Passed first consideration.

House Bill No. 2238--To provide for general sessions court,
Madison County--By Wallace and Baker.

Passed first consideration.

House Bill No. 2239--To regulate oil and gas wells--By Davis
(Pickett).

Passed first consideration.

House Bill No. 2240--To amend Charter, Bartlett--By Byrd.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 2211--To regulate foreign owned corporations.

Passed second consideration and referred to Committee on
Commerce.

House Bill No. 2212--To define duties, general sessions court,
Bledsoe County.

Passed second consideration and held without reference.

House Bill No. 2213--To enact redevelopment plans of housing
authorities.

Passed second consideration and referred to Committee on Finance,
Ways and Means.

House Bill No. 2214--To provide for Board of Education, Chester
County.

Passed second consideration and held without reference.

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House Bill No. 2215--To authorize a privilege tax, certain counties.

Passed second consideration and held without reference.

House Bill No. 2216--To authorize privilege tax, Hamblen County.

Passed second consideration and held without reference.

House Bill No. 2217--To authorize privilege tax, city of Morristown.

Passed second consideration and held without reference.

House Bill No. 2218--To provide consumer protection.

Passed second consideration and referred to Committee on Labor and Consumer Affairs.

House Bill No. 2219--To amend Chapter 278, Private Acts, 1955.

Passed second consideration and held without reference.

House Bill No. 2220--To increase litigation tax, Wilson County.

Passed second consideration and held without reference.

House Bill No. 2221--To amend Chapter 33, Title 56, Code.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 2222--To regulate billboard size and spacing requirements.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 2223--To amend "The Financial Responsibility Law of 1977".

Passed second consideration and referred to Committee on Transportation.

House Bill No. 2224--To amend Title 8, Chapter 50, and Title 2, Code.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 2225--To amend Title 4, Chapter 14, Code.

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Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 2226--To levy mineral severance tax, Weakley County.

Passed second consideration and held without reference.

House Bill No. 2227--To authorize admission tax, certain amusements.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 2228--To increase amount of bonds, Housing Development Agency.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 2229--To amend Section 67-3054, Code.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 2230--To provide for inspection, bodies of water.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 2231--To regulate administration, block grant funds.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 2232--To increase salaries, general sessions judges.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 2233--To set compensation members, board of law examiners.

Passed second consideration and referred to Committee on Judiciary.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

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1871--To amend Charter, Morrison;

2002--To establish school districts, Macon County;

2003--To impose certain privilege taxes, Scott County;

2006--To impose certain privilege taxes, Sequatchie County;

2017--To regulate Hamblen County Planning Commission;

2053--To increase litigation tax, Clairborne County;

2094--To amend Charter, Shelbyville;

2124--To change juvenile jurisdiction, Maury County;

2125--To make certain provisions, Fayetteville;

2126--To amend Charter, Liberty;

2136--To authorize sale of beer, Harriman;

2155--To continue juvenile court, Monroe County;

2167--To amend Charter, South Pittsburg;

2168--To regulate purchasing, South Pittsburg;

2169--To amend Charter, South Pittsburg; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.:

223--Relative to continuing construction, nuclear plant, Hartsville;

235--Relative to sympathy, Thomas Jefferson Harrison, Jr.;

236--Relative to honoring 100th Birthday, Corine Ross; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate

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Bills Nos.:

1164--To amend Title 36, Chapter 12, Code;

1171--To regulate assignment, insurance benefits, doctors and dentists;

1476--To regulate Mechanics' and Materialmen's Liens;

1487--To regulate services, Tennessee Preparatory School;

1529--To regulate rates, life insurance policy loans;

1621--To regulate resale, precious metal;

1817--To regulate distribution, taxes, retail alcoholic beverages;

1863--To regulate licensing, auctioneers;

1869--To regulate Oil and Gas Board;

1916--To define "contracting";

1942--To regulate registration, trademarks;

2015--To reorganize Uniform Administrative Procedures Act;

2066--To increase amount of bonds, Tennessee Housing Development Agency;

2115--To regulate motor vehicle fuel use tax; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 222, 1198, 1560, 1569, 1660, 1747 and 2288; also, Senate Joint Resolutions Nos. 199, 214, 218 and 224; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 222, 1198, 1560, 1569, 1660, 1747 and 2288; and Senate Joint Resolution Nos. 199, 214, 218 and 224.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1654, 1660 and 1661; also, House Joint Resolutions Nos. 337, 338, 340, 342, 343 and 344; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 1654, 1660 and 1661; and House Joint Resolutions Nos. 337, 338, 340, 342, 343 and 344 for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1444, 1567, 1733, 1812, 1813, 1849, 1921, 1947, 1948 and 1957; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1776, 1871, 2002, 2003, 2006, 2017, 2053, 2094, 2124, 2125, 2126, 2130, 2136, 2155, 2167, 2168 and 2169; House Resolution No. 104; and House Joint Resolutions Nos. 352, 353, 354 and 355; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 1776, 1871, 2002, 2003, 2006, 2017, 2053, 2094, 2124, 2125, 2126, 2130, 2136, 2155, 2167, 2168 and 2169; House Resolutions Nos. 104; House Joint Resolutions Nos. 352, 353, 354 and 355.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 2178, as requested.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Monday, March 8, 1982: House Bills Nos. 1468 and 1470.

GILL, Chairman.

NOTICE PURSUANT TO RULE NO. 57

Pursuant to Rule No. 57, sponsors gave notice of their intentions to consider the following measures from the Senate on Monday, March 8, 1982:

Senate Bill No. 1447--Cobb

House Bill No. 1760--Wallace

House Bill No. 1350--Naifeh

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1815, 2062, 2140, 2153, 2174, 2179, 2182, 2214, 2215, 2216, 2217, 2220 and 2226.

SPONSORS REMOVED

On motion of Mr. Bivens, his name was removed as sponsor of House Bill No. 1637.

On motion of Mr. Gill, his name was removed as sponsor of House Bill No. 1828.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1923--Naifeh (co-prime)

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House Bill No. 2194--Wheeler

House Bill No. 2241--McNally (co-prime)

RULES SUSPENDED

Mr. Gill moved that the rules be suspended for introduction of bills pre-filed today, which motion prevailed.

INTRODUCTION OF BILLS

House Bill No. 2241--To provide for fire insurance companies, certain counties--By Robertson.

Passed first consideration.

House Bill No. 2242--To establish restrictions concerning juvenile detention--By Murphy (Davidson).

Passed first consideration.

House Bill No. 2243--To regulate property taxation--By Clark (Sumner) and Wix.

Passed first consideration.

House Bill No. 2244--To make provisions, certain motor vehicles--By Brewer.

Passed first consideration.

House Bill No. 2245--To enact the "Medical Radiation Safety Act"--By Stallings, DePriest, Wallace and Lashlee.

Passed first consideration.

House Bill No. 2246--To regulate nomination of trustees, Madison County--By Wallace and Baker.

Passed first consideration.

House Bill No. 2247--To prohibit operation of certain pinball machines--By Moore, Tanner, Rhinehart, Carter and Murray.

Passed first consideration.

House Bill No. 2248--To create Law and Equity Court, certain counties--By Mr. Speaker McWherter.

Passed first consideration.

House Bill No. 2249--To amend Uniform Residential Landlord and Tenant Act--By Sir.

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Passed first consideration.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1730 and 2001; and House Joint Resolutions Nos. 366, 367, 368 and 369; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Monday, March 8, 1982: House Bill No. 1858, House Joint Resolution No. 314, Senate Joint Resolutions Nos. 171, 226, 227, 232, House Joint Resolution No. 358, House Bills Nos. 1801, 1815, 2062, 2140, 2153, 2174, 2179, 2182, 2214, 2215, 2216, 2217, 2220 and 2226 and House Joint Resolution No. 360.

GILL, Chairman.

On motion of Mr. Bragg, the House adjourned until 5:00 p.m. Monday, March 8, 1982.